

Appln. No. 10/817,243

Attorney Docket No. 10543-072

II. Remarks

In response to the Final Office Action mailed July 26, 2007 please consider the following remarks.

The Office Action and the references cited therein have been carefully considered. In this response, claims 1-20 are pending and are at issue herein. In view of the following remarks, favorable reconsideration of this application is requested.

ALLOWABLE SUBJECT MATTER

The Applicants would like to thank the Examiner for the continued indication of allowable subject matter. In particular, page 4 of the Office Action states that claims 15-20 are allowed, and claims 2-7, 11, 13 and 14 are allowable if rewritten into independent form. At this time, Applicants have not amended these dependent claims into independent format, as the independent claims from which they depend are believed to be in condition for allowance. Favorable consideration of all the claims is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 8-10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,338,012 to Brown. In the Office Action mailed July 26, 2007, the Response to Arguments section cites to Figure 11 and col. 7, lines 46-53 and 58-67 to support the assertion that the Brown reference discloses determining the rollover tendency of the vehicle based on the change rate of the

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BRINKS
HOFER
GILSON

BRINKS HOFER GILSON & LIONE
PO Box 10395
Chicago, IL 60611-5599

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steering angle. For these reasons, claims 1, 8-10 and 12 are still rejected over the Brown reference.

A thorough review of Figure 11 and the cited portions of col. 7 in the Brown reference clearly shows that the Brown reference does not teach use of the change rate of the steering angle in determining a rollover tendency. Rather, Figure 11 and the corresponding description simply discloses that rather than (or in combination with) adjusting the brake force distribution, a change in steering angle may also be employed to counteract roll. Brown explicitly states that, everything prior to blocks 88' and 104' is identical, and these blocks determine right side steering effort and left side steering effort, respectively, for counteracting roll. Col. 7, lines 63-65 specifically state that the delta steering angle is an amount that changes the tire force vector to counteract roll. In short, Figure 11 and the corresponding description merely discloses changing the steering angle to change the tire force vector to counteract roll.

As previously noted, Brown nowhere teaches or suggests using the change rate of the steering angle, among other things, to determine a rollover tendency of the vehicle. The Applicants' prior remarks with regard to the Brown reference in the response mailed April 26, 2007 are reiterated here.

For all these reasons, favorable reconsideration of independent claims 1 and 12, as well as dependent claims 8-10, is respectfully requested.

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BRINKS
HOFER
GILSON

BRINKS HOFER GILSON & LIONE
PO Box 10395

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CONCLUSION

In view of the preceding remarks, the Applicants respectfully submit that the specification is in order and that all of the claims are now in condition for allowance. If the Examiner believes that personal contact would be advantageous to the disposition of this case, the Applicants respectfully request that the Examiner contact the Attorney of the Applicants at the earliest convenience of the Examiner.

9-25-07
Date

Respectfully submitted,



Michael N. Spink (Reg. No. 47,107)
Attorney/Agent for Applicant